

REMARKS

Applicant has filed the enclosed Request for Continued Examination and Preliminary Amendment in response to the final action dated January 13, 2002.

The examiner rejected claim 28 as being indefinite. Applicant noticed minor errors in claims 26-29 and has corrected them.

The examiner rejected claims 1, 2, 4, 5, 14-17, 20-22, 26 and 27 under 35 U.S.C. 102 as anticipated by Korhammer.

Applicant has amended claim 1 to bring claim 1 in conformance with the suggestion of the examiner in the prior action. Applicant had previously argued that claim 1 distinguished by arguing: "Claim 1 also recites ... an order routing/execution manager to provide a single point delivery of executions or routing of orders.

The examiner acknowledged this argument in the final rejection, pointing out in the present final rejection that Korhammer does not disclose a single point of execution. The examiner argued that the claim did not preclude multiple points of execution.

Applicant considers that the prior version of claim 1 did preclude multiple points of execution. However, to further clarify the invention over the prior art, applicant has now amended claim 1 to call for an order routing/execution manager to provide for all orders received by the common interface a single point delivery of executions or routing of orders in accordance with parameters of the order.

Claim 1 is thus distinguished over Korhammer.

Claims 2, 4, 5, which depend on claim 1 are allowable with claim 1.

With respect to claims 14-17, 20-22, 26 and 27, these claims are also distinguished over Korhammer.

Claim 14 recites a collector facility for an electronic market ... an interface for coupling order delivery systems to the collector facility, a quote manager ... and montage manager to display quotes received from the quote order manager in an aggregate montage and an attributable quote montage if the quotes are attributable consistent with parameters specified in the quotes.

Korhammer does not describe or suggest both an aggregate montage and an attributable quote montage for attributable quotes. Korhammer does not have a concept of non-attributable or attributable interest specified by an order as in the claim 14. Since these features are not described and are not suggested by Korhammer claim 1 is not anticipated.

Claims 15-17, which depend on claim 14, and claims 20-22, 26 and 27, which recite analogous features as in claim 14 are also allowable over Korhammer.

The examiner also rejected claims 1, 7, 14, 17 and 18 under 35 U.S.C. 102, as anticipated by Smith.

As amended, claim 1 distinguishes over Smith. The examiner takes the position that Smith discloses "a collector facility for an electronic market comprising an interface for coupling Small Order Delivery Systems to the order collector facility." Applicant's claim 1 does not recite this feature. Rather, claim 1 recites a common interface to provide a single, common point of entry for coupling order delivery systems and quote entry systems that send quotes to the collector facility. Smith discloses SOESSM as an order delivery system (see first paragraph) and clearly states that SOES only handles market and marketable limit orders. Hence, Smith does not disclose or suggest a component of a quote entry system that is a common interface as recited in claim 1. Hence, the combination of a common interface to provide a single, common point of entry for coupling order delivery systems and quote entry systems that send quotes to the collector facility is neither described nor obvious from Smith.

Since Smith does not disclose a quote entry system, Smith inherently cannot suggest a manager process that manages quotes received from quote entry systems and orders received from the order delivery systems. Smith likewise cannot suggest an order routing/execution manager to provide for all orders received by the common interface either a single point delivery of executions or routing of orders in accordance with parameters of the order.

What Smith does describe is the ability of SOES to interact with quotes. However this is a reason for one of the advantages of the present invention, the ability of the order collector facility by providing a single point of delivery to substantially eliminate the potential for dual liability, as existed with the SOES and SelectNet[®] systems.

Claim 7 is allowable at least based on being dependent on claim 1.

Claim 14 is allowable over Smith since Smith does not describe ... a montage manager to display quotes received from the quote order manager in an aggregate montage and an attributable quote montage if the quotes are attributable consistent with parameters specified in the quotes. There is not a feature of an aggregate montage in Smith. Claims 17 and 18 are allowable at least based on being dependent on claim 14.

The examiner rejected claims 8-14 and 19 under 35 U.S. C. 103(a) as obvious over Smith and rejected claims 7, 23-25, 28 and 29 under 35 U.S. C. 103(a) as obvious over Korhammer in view of Smith.

These claims are allowable at least for the reasons discussed in their respective base claims. Moreover, these claims are add additional allowable features to the claims.